

Industrial Arbitration (Special Provisions) Act 1984 No 121

[1984-121]



New South Wales

Status Information

Currency of version

Historical version for 3 April 1997 to 7 January 2010 (accessed 8 January 2025 at 13:43)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Does not include amendments by**
Sec 4 of this Act (sec 4 to repeal sec 3 (1)–(4))
[Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2009 No 106](#) (not commenced — to commence on 8.1.2010)

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Industrial Arbitration (Special Provisions) Act 1984 No 121



New South Wales

An Act relating to the registration under the *Industrial Arbitration Act 1940* of the Building Construction Employees and Builders Labourers Federation of New South Wales as an industrial union.

1 Name of Act

This Act may be cited as the *Industrial Arbitration (Special Provisions) Act 1984*.

2 Interpretation

(1) In this Act:

Principal Act means the *Industrial Arbitration Act 1940*.

the union means the Building Construction Employees and Builders Labourers Federation of New South Wales.

(2) Expressions used in this Act shall, except in so far as the context or subject-matter otherwise indicates or requires, have the same meanings respectively as in the Principal Act.

3 Cancellation of certain registration

(1) Where the Minister certifies to the Governor that the union has, by its executive, members or otherwise, engaged in activities which are contrary to the public interest, the Governor may declare that subsection (2) applies to and in respect of the union.

(2) Upon a declaration being made by the Governor as referred to in subsection (1), the registration of the union under the Principal Act shall, by the operation of this Act, be cancelled and the union shall, for all purposes, accordingly cease to be registered under that Act as an industrial union.

Editorial note—

Declaration date under subsection (1): 2.1.1985. See Gazette No 9 of 11.1.1985, p 129.

(3) A declaration made by the Governor as referred to in subsection (1) shall be published

in the Gazette as soon as practicable after it is made.

- (4) After the cancellation of the registration of the union under the Principal Act, the Industrial Registrar must refuse any application for registration of an industrial organisation under the *Industrial Relations Act 1996* which, in the opinion of the Industrial Registrar, is (by reason of its membership, executive or otherwise) the same, or substantially the same, as the union.
- (5) A certificate given, or declaration made, under this Act shall not be challenged, appealed against, quashed or called into question by any court.
- (6) No proceedings, whether for an order in the nature of prohibition, certiorari or mandamus or for a declaration or injunction or for any other relief, shall lie in respect of:
 - (a) a certificate given, or declaration made, under this Act, or
 - (b) any decision, proceeding, step or other matter involved in the giving or making of any such certificate or declaration.
- (7) The cancellation of the registration of the union pursuant to this Act shall not relieve the union or any member thereof from the obligation of any award or industrial agreement, or order of the commission, or a conciliation commissioner, or a committee, or from any penalty or liability incurred prior to the cancellation.

4 Repeal of certain provisions

On a day to be appointed by the Governor and notified by proclamation published in the Gazette, the provisions of section 3 (1)–(4) are repealed.